

AMENDMENT TRANSMITTAL LETTER (Small Entity)				Docket No. 840.052.203	
Applicant(s): Whitehouse					
Serial No. 09/901,428	Filing Date 7/9/01	Examiner B. C. Anderson		Group Art Unit 2881	
Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY...		FAX COPY RECEIVED			
		TO THE ASSISTANT COMMISSIONER FOR PATENTS: SEP 3 - 2002			
Transmitted herewith is an amendment in the above-identified application.		TECHNOLOGY CENTER 2800			
<input type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	85 -	34 =	51 x	\$9.00	\$459.00
INDEP. CLAIMS	15 -	2 =	13 x	\$42.00	\$546.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$1,005.00
<input type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. 02-2105 in the amount of A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2105 A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
 <i>Peter L. Berger</i> Signature					
Dated: September 3, 2002					
Peter L. Berger, Esq. Reg. No. 24,570 Levisohn, Lerner, Berger & Langsam, LLP 757 Third Avenue, Suite 2500 New York, New York 10017 Phone (212) 486-7272 Fax (212) 486-0323					
I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.					
Signature of Person Mailing Correspondence					
Typed or Printed Name of Person Mailing Correspondence					
CC:					

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)				Docket No. 840.052.203
Applicant(s): Whtiehouse				
Serial No. 09/901,428	Filing Date 7/9/01	Examiner B. C. Anderson	Group Art Unit 2881	
Invention: MULTIPOLE ION GUIDE MASS SPECTROMETRY....				
FAX COPY RECEIVED SEP 3 - 2002 TECHNOLOGY CENTER 2800				
I hereby certify that this <u>Amendment to Provoke Interference and transmittal letter</u> <small>(Identify type of correspondence)</small>				
is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9318</u>)				
on <u>September 3, 2002</u> <small>(Date)</small>				
<u>Wanda Ruggiera</u> <small>(Typed or Printed Name of Person Signing Certificate)</small> <u><i>Wanda Ruggiera</i></u> <small>(Signature)</small>				
<small>Note: Each paper must have its own certificate of mailing.</small>				

6/B
9/5/02
D.Bell

CdM
9/3/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: C. M. Whitehouse
Serial No. 09/901,428
Filed : July 9, 2001

Examiner: B. C. Anderson
Art Unit: 2881

For: Multipole Ion Guide Mass Spectrometry...

Attorney Docket No. 840.052.203

September 3, 2002

VIA FAX (703) 872-9318
Hon. Commissioner of Patents & Trademarks
Washington, D.C. 20231

AMENDMENT TO PROVOKE INTERFERENCE UNDER 37 CFR 1.607
AND IN RESPONSE TO THE OFFICIAL ACTION OF JUNE 11, 2002

Sir:

09/05/2002 RGRADEN 00000000000000000000000000000000 This amendment includes a response to the outstanding Official Action and,

01 FC:202 504.00 CH
02 FC:092 more importantly, includes proposed counts and claims corresponding to such counts
that have been copied from US Patent 6,285,027 for purposes of provoking an interference. The claims corresponding to the proposed counts are presented in this pending application within one year of the issue date of the '027 patent. Claims 1-6 copied from the '027 patent have been added as new claims 115-120.

For purposes of provoking the interference, one count is a copy of claim 1 of the '027 patent. Three additional proposed counts are submitted. We also present tables showing the conflicting subject matter relating to the elements of the claims taken from the '027 patent as well as claims from this pending patent application.